



Kansas Department of Health and Environment – Bureau of Air
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40 CFR Part 63, subpart ZZZZ (RICE NESHAP): Frequently Asked Questions (FAQs)

This document was developed by Kansas Small Business Environmental Assistance Program, or SBEAP, in collaboration with the Kansas Department of Health and Environment, or KDHE – Bureau of Air, or BOA. It takes into account frequently asked compliance questions and provides answers to assist industry with compliance. This document will focus on continuous compliance requirements applicable to compression ignition, or CI; spark ignition, or SI; and stationary reciprocating internal combustion engines, or RICE. Typically, CI engines are those that use diesel fuel and SI engines are those that run on gaseous fuel, e.g. natural gas, propane and gasoline. Compliance requirements are dependent on site ratings (engine size) measured in horsepower, or HP; source category of the facility (amount of hazardous air pollutants emitted where the engine is located); date when the engine was installed; and whether or not the engine is an emergency engine.

It is important to note these questions and answers were not developed to supersede any regulations, but are aimed at helping owners and operators of RICE understand applicable requirements.

1. How do I know if my facility is covered under the RICE rule?

First you need to know whether the facility housing the engine is considered an area source or a major source. This depends on the tons/year of your facility's potential to emit, or PTE, hazardous air pollutants, or HAPs. Call Kansas SBEAP at 800-578-8898 for assistance with this determination. Then use [EPA's navigational tool](#) to determine applicable compliance requirements.

2. How do I determine if my engine is a new or an existing source?

Your engine is a new source if it was installed or reconstructed on or after June 12, 2006, and an existing source if you installed or reconstructed it before June 12, 2006. The manufacturing date also plays a part in determining whether engines are subject to New Source Performance Standards, or NSPS (see [NSPS IIII §60.4200 and Table 3](#), and [NSPS JJJ §60.4230](#)).

3. My facility submitted an initial notification of applicability but later found out the engine is not covered under the RICE rule. Am I required to submit a follow-up notification to KDHE?

Yes, a follow-up notification must be submitted to KDHE within 15 days of making the new determination, as specified in [40 CFR 63.9\(j\)](#).

4. What are my compliance dates if I own or operate an existing RICE?

Compliance dates for existing CI sources were May 3, 2013, and Oct. 19, 2013, for stationary SI RICE. All engines should now be in compliance with the RICE rule. You must comply with all applicable requirements, including emissions and operating limitations. Resources to help with compliance, including tools and forms, are available at the [Kansas SBEAP engine webpage](#).

5. What are my operating requirements if I operate an existing stationary RICE located at an area source of HAPs?

Operating requirements depend on engine size, engine type (CI or SI), engine use (emergency/non-emergency) and the source category of the facility where the stationary RICE is located. For example,

This FAQs is aimed at helping RICE owners and operators meet compliance, full regulations can be found at:

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if you operate an existing, stationary, non-emergency RICE with a site rating less than or equal to 300 HP, located at an area source of HAPs, you must change the oil and filter, and inspect the air cleaner every 1000 hours of operation or annually, whichever comes first. You need to inspect all hoses and belts every 500 hours of operation or annually, whichever comes first. When needed, replace the air cleaner, hoses and belts. A summary of operating requirements for different categories of stationary RICE can be found in [Table 2d to Subpart ZZZZ of part 63](#).

6. Are there specific requirements for the type of fuel used in a CI RICE located at an area source of HAPs?

Yes. The maximum concentration of sulfur allowed for diesel fuel used in existing, nonemergency CI RICE greater than 300 HP, with a displacement of less than 30 liters per cylinder, is 15 parts per million (ppm). The maximum concentration of sulfur allowed for diesel fuel used in existing, emergency CI RICE greater than 100 HP, with a displacement of less than 30 liters per cylinder, is 15 ppm.

7. I have just relocated a stationary RICE from a major source of HAPs to an area source of HAPs. Will I need to comply with area source requirements?

Yes. Upon relocation to an area source, you must comply with applicable RICE requirements for CI or SI engines located at an area source of HAPs. Notify KDHE in writing within 15 calendar days after the relocation.

8. My facility recently relocated a stationary RICE from one of our facilities, which happens to fall under major source category, to a facility at a different location. Will the relocated engine be considered a new source upon relocation?

No. This will **NOT** be considered a new source upon relocation, provided it does not meet the definition of construction as described in 40 CFR 63.2:

Construction means the on-site fabrication, erection or installation of an affected source. Construction does not include removal of all equipment comprising an affected source from an existing location and reinstallation of such equipment at a new location. The owner or operator of an existing affected source that is relocated may elect not to reinstall minor ancillary equipment including, but not limited to, piping, ductwork and valves. Notify KDHE in writing within 15 calendar days after the relocation.

9. I just took ownership of an existing stationary engine. Do I have to meet requirements of a new engine?

No. You do not need to comply with requirements for a new engine. 40 CFR 63.6590 (a)(1)(iv) includes the following in its definition of an existing RICE: *A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.*

10. What are my compliance requirements if I own or operate an emergency CI RICE at an area source facility?

- Change the oil and filter every 500 hours of operation or annually, whichever comes first; or take advantage of the oil analysis program detailed in [63.6625\(i\)](#) in place of oil-change requirements.



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- Inspect the air cleaner every 1,000 hours of operation or annually, whichever comes first. Replace as needed.
- Inspect hoses and belts every 500 hours of operation or annually, whichever comes first. Replace as needed.
- Operate the engine following manufacturer's instruction or develop your own plan to address emission reduction.
- Ensure the engine is equipped with a non-resettable hour meter. Document the number of hours used for emergency situations (using data from meter) and why your engine was classified as emergency.
- New CI and SI engines must meet the requirements of 40 CFR 60 subpart IIII and JJJJ, respectively.

11. What resources are available to help me understand my engine compliance requirements?

- CI RICE: If you own or operate a stationary CI RICE, follow requirements on the notification and reporting column, as specified in [this guidance table](#).
- SI RICE: If you own or operate a stationary SI RICE, follow requirements on the notification and reporting column, as specified in [this guidance table](#).
- You can also visit <https://www3.epa.gov/ttn/atw/icengines/comply.html> to learn more about [compliance requirements](#).

12. What are my requirements if I own or operate an emergency engine with a site rating greater than 500 HP at a major source of HAP?

Emergency engines with site rating greater than 500 HP do not have compliance requirements:

§63.6600(c) *If you own or operate any of the following **stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions**, you do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE; an existing 4SLB stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; **an emergency stationary RICE**; or a limited use stationary RICE.*

13. What are my recordkeeping requirements?

- Document and keep all reports and notifications submitted to KDHE and EPA.
- Document, date, and keep each record of malfunction and corrective actions including records of maintenance actions taken on pollution control and monitoring equipment.
- Document and keep records of actions taken to reduce emissions during periods of malfunction.
- Document and keep records of all performance tests and evaluation, and records.
- Document and keep records of continuous emissions monitoring systems, or CEMS, and continuous parameter monitoring systems, or CPMS.
- Document and keep records of hours of operation for all emergency RICE – use the data from the non-resettable meter attached to your emergency RICE.



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14. How long do I have to keep records and in what form?

All records must be kept for a **minimum of five years**, in hard (paper) or electronic copies.

15. How do I determine if I need a construction permit or approval, or an air operating permit, for my stationary engine(s)?

To determine your need for an air permit, a construction permit or approval, you will need to evaluate your engine's (emission source) potential-to-emit, or PTE. You can use Kansas SBEAP's PTE tool at <http://www.sbeap.org/tools/potential-to-emit-calculators>. Follow the instruction on the first tab (Instructions) of the spreadsheet and input engine data on the second tab (Engines). You also have the option of using manufacturer's data in place of emission factors provided ([EPA's AP-42](#), chapter 3). Follow instruction 1d in the Instructions tab. If an air operating permit, or a construction permit or approval, is required, the cells under "Need for air permit" column (Engines tab) will display "YES." Contact [SBEAP](#) at sbeap@ksu.edu if you need assistance.

Resources:

Code of Federal Regulations, 40 CFR Part 63, subpart ZZZZ at http://www.ecfr.gov/cgi-bin/text-idx?SID=61b4d0259da8046b56431736d3f62b1e&mc=true&node=sp40.14.63.zzzz&rgn=div6#se40.14.63_16655.

Technology transfer network, stationary ignition engines – how to comply at <https://www3.epa.gov/ttn/atw/icengines/comply.html>.

RICE NESHAP requirements at area source of HAPs at <https://www3.epa.gov/airtoxics/icengines/docs/20130919complianceinfo.pdf>.

Air quality rules — air quality rules at <http://www.sbeap.org/aqrules/engines>

Implementation questions and answers — RICE NESHAP at <https://www3.epa.gov/airtoxics/icengines/docs/20120717ricegaupdate.pdf>.